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U.S. COURTS
AUG 14 2019
Rcvd _____ Filed _____ Time _____
STEPHEN W. KENYON
CLERK, DISTRICT OF IDAHO

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOIS M. SOITO,

Defendant.

Case No. **CR 19-0250-SDCN**

INDICTMENT

18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 982(a)
18 U.S.C. § 1343
28 U.S.C. § 2461(c)

The Grand Jury charges:

General Allegations

At all times relevant to the Indictment:

1. Saint Alphonsus Health System (SAHS) was a health care facility with an office in Boise, Idaho, in the District of Idaho.
2. The defendant LOIS M. SOITO was employed by SAHS for approximately 22 years. She worked in accounts receivable for much of her employment. From approximately

November 2015 until her employment ended on January 31, 2019, SOITO worked as the Manager of Cash Accounting for SAHS.

3. As part of her employment, SOITO had access to the cash raised at the Festival of Trees fundraiser.

4. During her employment, SOITO served on the leadership team of the Employee Support Team at SAHS.

5. The Employee Support Team banked with the Saint Alphonsus Medical Credit Union (SAMCU).

6. SOITO banked with ICON Credit Union (ICON).

7. Both SAMCU and ICON used a third party business in Texas to process transactions between financial institutions.

COUNTS ONE THROUGH TEN

Wire Fraud 18 U.S.C. § 1343

8. The allegations set forth in paragraphs 1 through 7 of this Indictment are re-alleged and incorporated as though set forth in full herein.

9. From an unknown date, but from at least January 2005 and continuing until January 31, 2019, in the District of Idaho and elsewhere, the defendant, LOIS M. SOITO, knowingly devised and intended to devise a scheme to defraud, as to material matters, her employer, Saint Alphonsus Health System, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and to misappropriate without authority money and property belonging to Saint Alphonsus Health System.

Manner and Means

10. In order to further the objects and goals of the scheme, SOITO used the following manner and means, among others:

11. It was part of the scheme that SOITO collected and kept miscellaneous checks intended for SAHS rather than depositing them in the appropriate SAHS account.
12. It was further part of the scheme that SOITO fraudulently deposited some of the miscellaneous checks she collected into the Employee Support Team bank account.
13. It was further part of the scheme that SOITO arranged for another person to sign blank checks for the Employee Support Team account, under the guise of reimbursing individuals and/or paying vendors for services. SOITO took signed checks, made them payable to herself, and deposited them into accounts that she controlled. SOITO wrote the checks to include the amount of miscellaneous checks she fraudulently deposited in the Employee Support Team account.
14. It was further part of the scheme that SOITO collected the cash from the Festival of Trees, under the guise of depositing it into the proper bank account. Instead of depositing the cash in the appropriate account, SOITO kept the cash and substituted miscellaneous checks for the deposit. SOITO changed the deposit slip and took the miscellaneous checks to the bank to be deposited in lieu of the cash she took.

Executions of the Scheme

15. On or about the respective dates below, in the District of Idaho and elsewhere, the defendant LOIS M. SOITO, for the purpose of executing the scheme described above, caused to be transmitted by means of wire communication in interstate commerce the writings, signals and sounds described below, each transmission constituting a separate count of this

Indictment and each transmission causing a wire in interstate commerce between SAMCU where the Employee Support Team account was located and ICON where SOITO deposited the checks into her accounts:

Count	Deposit Date	Description of Wire	Amount
1	10/3/2014	Employee Support Team Check # 1954	\$6,551.60
2	11/21/2014	Employee Support Team Check #1955	\$6,525.99
3	5/21/2015	Employee Support Team Check #1963	\$6,608.80
4	9/14/2015	Employee Support Team Check #1967	\$6,591.20
5	8/29/2016	Employee Support Team Check #1980	\$6,685.80
6	11/14/2016	Employee Support Team Check #1981	\$6,668.20
7	2/24/2017	Employee Support Team Check #1982	\$13,527.80
8	9/1/2017	Employee Support Team Check #1984	\$20,588.00
9	2/23/2018	Employee Support Team Check #1985	\$14,048.40
10	6/22/2018	Employee Support Team Check #1986	\$21,063.56

All in violation of Title 18, United States Code, Section 1343.

CRIMINAL FORFEITURE ALLEGATION

Wire Fraud Forfeiture 18 U.S.C. §§ 981(a)(1)(C) and 982(a); 28 U.S.C. § 2461(c)

Upon conviction of the offenses alleged in Counts ONE through TEN of this Indictment, the defendant, LOIS M. SOITO, shall forfeit to the United States any and all property, real and personal, tangible and intangible, consisting or derived from any proceeds the said defendant

obtained directly or indirectly as a result of the foregoing offenses. The property to be forfeited includes, but is not limited to, the following:

1. Unrecovered Cash Proceeds and/or Facilitating Property. The defendant obtained and controlled unrecovered proceeds of the offense of conviction, or property derived from or traceable to such proceeds, and property the defendant used to facilitate the offense, but based upon actions of the defendant, the property was transferred, diminished, comingled, or is otherwise unavailable. The defendant obtained and controlled at least \$1,000,000 in unrecovered forfeitable property.

2. Real Property. All interests in land and appurtenances more fully described below:

a. 10200 Wild Horse Circle, Horseshoe Bend, Gem County, Idaho,
APN: RPC62300000110 (formerly APN: RP00408202) recorded owner: Lois M. Soito and E.S.;

b. Adjacent grazing land, approximately 40 acres, APN:
RP07N01E144200 (formerly APN: RP00407319) recorded owner: Lois M. Soito and E.S.

3. Substitute Assets. Pursuant to 21 U.S.C. § 853(p) and other applicable statutes, the government will seek forfeiture of substitute assets, "or any other property of the defendant" up to the value of the defendant's assets subject to forfeiture. The government will do so when the property subject to forfeiture cannot be forfeited for one or more of the following reasons:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the court;
- d. Has been substantially diminished in value; or

- e. Has been commingled with other property which cannot be subdivided without difficulty.

Dated this 13th day of August, 2019.

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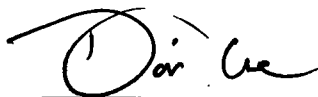
A TRUE BILL

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/s/ [signature on reverse]

FOREPERSON

BART M. DAVIS
UNITED STATES ATTORNEY
By:



DARCI W. CRANE
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